

REMARKS

Claims 1-11 were submitted for examination. By this amendment, applicants have amended claims 1, 5, 7, and 9, cancelled claims 2-4 and 10, and added new claims 12-20.

The examiner objected to the disclosure because of a cross-reference to a foreign application. The cross-reference includes an incorporation by reference, which applicant would not want to delete. To address this objection, applicants propose canceling the heading "Cross-Reference to Related Application," and moving the paragraph that states that this application claims priority and incorporates the application by reference be moved to the end of the Summary section.

The examiner objected to the drawings on the basis that "text labels" were missing from Figure 1. Applicant would like to respond to this objection, but the figure that is believed to be in the application does appear to have the labels on boxes. Otherwise, applicant is unsure what is meant by "text labels." A copy of the drawing as it is currently believed to exist is being provided with this amendment. Applicant fully intends to comply with all drawing requirements included providing formal drawings with an issue fee.

The examiner rejected claims 1, 6, and 8-11 as being anticipated by Trevitt; claims 2-5 as being unpatentable over Trevitt in view of Opalka; and claim 7 as being unpatentable over Trevitt in view of Sakamoto.

In the amended claims, applicant has essentially combined claims 1, 2, and 3 into claim 1. Claim 2 refers to the use of telephony data, while claim 3 refers to the use of timeslots. The examiner conceded that Trevitt "failed to disclose the data is telephony data," but indicated that Opalka does teach the use of telephony data. Applicants disagree, however, with the examiner's proposed combination of references. Specifically, Opalka states that time division multiplexing (TDM) can be used with telephony data, but Opalka specifically teaches the preferred use of ATM technology and criticizes the use of TDM (column 1, lines 52-58). Consequently, one looking at Trevitt and Opalka would not be motivated to combine the use of telephony data as recited in Opalka with what is disclosed in Trevitt. Claim 8, as amended, also includes these aspects.

Other claims that are dependent on claim 1 are patentable at least for the same reasons, but have additional limitations as well. For example, claim 5 is now a combination of claims 4 and 5 and recites that a word in the buffer storage is 32 bits and that the lower-order 2 bits of each address are used to identify one of the 4 bytes in a word location in the buffer storage. With respect to claim 7, the examiner conceded that Trevitt "failed to disclose consecutive addresses in storage," but states that Sakamoto discloses that DRAM is the fastest consecutive access when performing data writing and reading by using consecutive column address such as consecutive address read and write operations. Here, too, Sakamoto relates to the use of ATM and cell assembly and disassembly (CLAD) technology. Sakamoto states that DRAM can use the consecutive column access, but that CLAD accesses the cell buffer at random (column 2, lines 63-37). Consequently, one looking at Sakamoto would not be motivated to combine with Trevitt as suggested.

New claims 12, 13, and 14 recite alternatively that the transfer of data from the incoming source to the buffer storage is or is not synchronized with the transfer of storage to the output size. In the application, at page 5, lines 16-18, it states that the incoming and outgoing transfers need not be synchronized, such as where the number of outgoing timeslots differ in number from the incoming timeslots. This feature is claimed specifically in dependent claim 12.

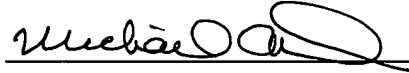
Claim 9 is a method for switching data streams in a network wherein the data streams include timeslots and further recites that it uses telephony data. For the reasons discussed above, the references that have been cited for showing the memory accessing and the use of telephony data in timeslots would not have been combined. Furthermore, dependent claims 13, 14, 16, 17, 19, and 20 include the use of synchronous and nonsynchronous transfer of data.

Along with this amendment, applicants are enclosing an information disclosure statement with references cited in a counterpart foreign application.

All claims should not be in condition for allowance, and accordingly a notice for allowance is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Michael A. Diener", written over a horizontal line.

Michael A. Diener
Registration No. 37,122
Attorney for Applicant

Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
Tel: (617) 526-6454
Fax: (617) 526-5000